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BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES

Application Number: 10/064,665
Filing Date: August 05, 2002
Appellant(s): CARBONE ET AL.

Floron C. Faries
For Appellant

EXAMINER'S ANSWER

This is in response to the appeal brief filed 9/25/2008 appealing from the Office action mailed 3/14/2008.

(1) Real Party in Interest

A statement identifying the real party of interest is contained in the brief.

(2) Related Appeals and Interferences

The examiner is not aware of any related appeals, interferences, or judicial proceedings which will directly affect or be directly affected by or have a bearing on the Board's decision in the pending appeal.

(3) Status of Claims

The statement of the status of claims contained in the brief is correct.

(4) Status of Amendments After Final

The appellant's statement of the status of amendments after final rejection contained in the brief is correct.

(5) Summary of Claimed Subject Matter

The summary of claimed subject matter contained in the brief is correct.

(6) Grounds of Rejection to be Reviewed on Appeal

The appellant's statement of the grounds of rejection to be reviewed on appeal is correct.

(7) Claims Appendix

The copy of the appealed claims contained in the Appendix to the brief is correct.

(8) Evidence Relied Upon

2003/0023517	Marsh et al.	1-2003
2002/0097282	Maltseff	7-2002
2003/0101108	Botham et al.	5-2003
6,587,836	Ahlberg et al.	7-2003
6,529,910	Fleskes	3-2003
5,689,238	Cannon Jr. et al.	11-1997
6,148,291	Radican	11-2000

(9) Grounds of Rejection

The following ground(s) of rejection are applicable to the appealed claims:

Claim Rejections - 35 USC § 103

The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

Claims 1-6, 16-17, 20, 24, 26-31, 41-42, 45, and 49 rejected under 35 U.S.C. 103(a) as being unpatentable over Marsh (US 2003/0023517 A1) in view of Maltseff (US 2002/0097282 A1).

As per claims 1-6, 16-17, 20, 26-31, 41-42 and 45, Marsh discloses affixing a plurality of electronic asset identification devices to an asset whose location and information are to be managed (0020-0022; 0031; FIG. 1); programming each of the plurality of electronic asset identification devices to include at least unique identification information relating to the asset to which it is affixed (0020-0022; 0031; FIG. 1); maintaining at least one database containing information regarding the electronic asset identification devices and the assets to which they are affixed on an asset management server computer system (0020-0022; 0028; 0031; FIG. 1); operatively connecting a field control device operating a computer program to the asset management server computer system for exchanging information regarding the electronic asset identification devices over a computer network (0020-0022; 0028; 0031; FIG. 1); and further the field control device having the ability to interrogate the electronic asset identification devices in order to receive information from the plurality of electronic asset identification devices (0020-0022; 0028; 0031; FIG. 1).

However Marsh fails to disclose wherein the field control device is a remote client computer system operatively connected to the asset management system and further the remote client computer system contains at least one interrogation device that is separate from the remote client computer in which the interrogation device interrogates information from the electronic asset identification devices and sends the asset information to the remote client computer system.

Maltseff discloses a field control device (0031 and FIG. 2: “20”) that is operatively connected to an asset management system (0031 and FIG. 2: “18”) and further the

remote client computer system contains at least one interrogation device (0030-0031 and FIG. 2: “28”) that is separate from the remote client computer (0030-0031: interface between the wireless interrogator and the personal computer and FIG. 2: “34”) in which the interrogation device interrogates information from the electronic asset identification devices (0030 and FIG. 2: “30”) and sends the asset information to the remote client computer system (0030-0031). Further the remote client computer system sends the asset information from the electronic asset identification devices to the asset management system (0031).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the teachings of Marsh to include wherein the field control device is a remote client computer system operatively connected to the asset management system and further the remote client computer system contains at least one interrogation device that is separate from the remote client computer in which the interrogation device interrogates information from the electronic asset identification devices and sends the asset information to the remote client computer system as taught by the Maltseff. One of ordinary skill in the art would have been motivated to combine the teachings in order allow for tracking information via a wireless memory device and storing the information at a central computer system (Maltseff, 0006).

As per claim 24 and 49, Marsh discloses synchronizing local asset management information with asset management information received from the asset management server computer system for a selected group of assets (0028).

Claims 7, 15, 32 and 40 are rejected under 35 U.S.C. 103(a) as being unpatentable over Marsh (US 2003/0023517 A1) in view of Maltseff (US 2002/0097282 A1) as applied to claim 1 above, and further in view of Examiner's Official Notice.

As per claim 7 and 32, Marsh in view of Maltseff fails to explicitly disclose operatively connecting at least one legacy database system to the asset management server computer system, for enabling exchange of legacy information relating to the assets to be managed.

However, the Examiner takes Official Notice that it is notoriously old and well known in the art connect a server computer system to a legacy database in order to exchange information.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the teachings of Marsh in view of Maltseff to include connecting a server computer system to a legacy database in order to exchange information as taught by the Official Notice. One of ordinary skill in the art would have been motivated to combine the teachings in order to allow the movement and merging of information from an older established data repository to a newer data repository.

As per claim 15 and 40, Marsh in view of Maltseff discloses a computing device as the remote client device.

Marsh fails to explicitly disclose wherein the remote client computer system is a laptop or notebook style computer system.

However, the Examiner takes Official Notice that it is notoriously old and well known in the art to utilize a laptop or notebook style computer in a computing environment.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the teachings of Marsh to include utilizing a laptop or notebook style computer in a computing environment as taught by the Official Notice. One of ordinary skill in the art would have been motivated to combine the teachings in order to allow a user the portability offered by a laptop/notebook style computer.

Claim 8 and 33 rejected under 35 U.S.C. 103(a) as being unpatentable over Marsh (US 2003/0023517 A1) in view of Maltseff (US 2002/0097282 A1) as applied to claim 1 above, and further in view of Bothman et al. (US 2003/0101108 A1).

As per claim 8 and 33, Marsh discloses a user interface for presenting interpreted data (0028).

Marsh in view of Maltseff fails to explicitly serving a plurality of interactive web pages relating to the asset identification devices and the assets to which they are affixed from at least one web application server computer system.

However Bothman discloses serving a plurality of interactive web pages relating to the asset identification devices and the assets to which they are affixed from at least one web application server computer system (ABSTRACT).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the teachings of Marsh in view of Maltseff to include serving a plurality of interactive web pages relating to the asset identification devices and the assets to which they are affixed from at least one web application server computer system as taught by Bothman. One of ordinary skill in the art would have been motivated to combine the teachings in order to portray accurate information related to the assets to users of the system in a quick and accurate manner (Bothman; 0008).

Claims 9-10, 14, 34-35, and 39 are rejected under 35 U.S.C. 103(a) as being unpatentable over Marsh (US 2003/0023517 A1) in view of Maltseff (US 2002/0097282 A1) and Bothman et al. (US 2003/0101108 A1) as applied to claim 8 and 33 above, and further in view of Ahlberg et al. (US 6,587,836 B1).

As per claim 9, 14, 34 and 39, Marsh in view of Maltseff both fail to explicitly disclose operatively connecting at least one hypertext transfer protocol server computer system to the web application server computer system; and operatively connecting at least one authentication server computer system to the hypertext transfer protocol server for performing authentication and logon services, wherein the authentication server computer system is further operatively connected to an LDAP directory system for facilitating user login and authentication, wherein information exchanges initiated by

the remote client computer system result in a first connection between the remote client computer system and the at least one authentication server computer system.

Bothman discloses a web application server (ABSTRACT).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the teachings of Marsh in view of Maltseff to include a web application server as taught by Bothman. One of ordinary skill in the art would have been motivated to combine the teachings in order to portray accurate information related to the assets to users of the system in a quick and accurate manner.

Marsh, Maltseff, and Bothman all fail to explicitly disclose and operatively connecting at least one authentication server computer system to the hypertext transfer protocol server for performing authentication and logon services, wherein the authentication server computer system is further operatively connected to an LDAP directory system for facilitating user login and authentication, wherein information exchanges initiated by the remote client computer system result in a first connection between the remote client computer system and the at least one authentication server computer system.

However Ahlberg discloses a user at a web browser using HTTP-S to a server (hypertext transfer protocol server) and providing a user name/password at a remote client computer system connecting which connects to an authentication server which matches the provided user name/password with a security profile before granting access to the system (col. 10, lines 42-61 and col. 20, lines 12-52; FIG. 5; Examiner interprets “security profile” to be a directory system for authentication and logon

services). **The Examiner notes the Ahlberg is analogous art for providing web based logon authentication system for displaying web pages.**

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the teachings of Marsh, Maltseff, and Bothman to include a user at a web browser providing a user name/password at a remote client computer system connecting which connects to an authentication server which matches the provided user name/password with a security profile before granting access to the system as taught by Ahlberg. One of ordinary skill in the art would have been motivated to combine the teachings in order to provide a web-based on-line system for processing data for services over the Internet (Ahlberg; col. 3, lines 14-17).

As per claim 10 and 35, Marsh discloses a user interface for presenting interpreted data (0028).

Bothman discloses displaying web pages to allow for modifying, rejecting, or accepting information related to data (ABSTRACT).

Ahlberg discloses web pages for presenting options, entry, modifying, canceling, searching, displaying information, customized reports, etc (ABSTRACT; col. 3, lines 61-67; col. 4, lines 1-23; col. 9, lines 29-48; and col. 16, lines 16-32).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the teachings of Marsh, Maltseff, Bothman, and Ahlberg to include displaying a home page; displaying a login page for receiving user login information; displaying a main menu page for displaying a plurality of options to users,

selection of which a user to view and/or modify the asset management information maintained on the asset management web server computer system; displaying a project details page for displaying general information regarding asset management information relating to a selected project; displaying an asset search page for receiving asset search criteria from the user, the submission of which causes the asset management web server computer system to retrieve asset management information matching the submitted search criteria; displaying an asset search results page for displaying the retrieved asset management information; and displaying an asset details page for displaying specific asset management information relating to a selected one of the assets displayed on the asst search results page. One of ordinary skill in the art would have been motivated to combine the teachings in order to provide multiple web based pages that relate to pertinent information that should be able to be viewed online. **The Examiner would like to note limitations recited in claim 10 and 35 are directed to design choice for providing information catered to a specific environment.**

Claims 11-13 and 36-38 are rejected under 35 U.S.C. 103(a) as being unpatentable over Marsh (US 2003/0023517 A1) in view of Maltseff (US 2002/0097282 A1) and Bothman et al. (US 2003/0101108 A1) and Ahlberg et al. (US 6,587,836 B1) as applied to claim 10 and 35 above, and further in view of Fleskes (US 6,529,910 B1)

As per claim 11 and 36, Marsh, Maltseff, Bothman, and Ahlberg all fail to explicitly disclose operatively connection at least one authentication server computer system to the web application server computer system for facilitating user login and

authentication, wherein the web server application serves different web pages depending upon login information received from the remote client computer system.

However Fleskes discloses displaying different web pages depending upon login information received (ABSTRACT). **The Examiner notes the Fleskes is analogous art for providing different web pages depending upon login information received.**

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the teachings of Marsh, Maltseff, Bothman, and Ahlberg to include displaying different web pages depending upon login information received as taught by Fleskes. One of ordinary skill in the art would have been motivated to combine the teachings in order to provide varying levels of information that are available to the users of the system (ABSTRACT).

As per claims 12 and 37, Marsh discloses a user interface for presenting interpreted data (0028).

Bothman discloses displaying web pages to allow for modifying, rejecting, or accepting information related to data (ABSTRACT).

Ahlberg discloses web pages for presenting options, entry, modifying, canceling, searching, displaying information, customized reports, etc (ABSTRACT; col. 3, lines 61-67; col. 4, lines 1-23; col. 9, lines 29-48; and col. 16, lines 16-32).

Fleskes discloses displaying different web pages depending upon login information received (ABSTRACT).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the teachings of Marsh, Maltseff, Bothman, Ahlberg, and Fleskes to include receiving administrative level user login information; displaying a show report menu page for enabling users to select and create reports of available asset management information; displaying a synchronize web page for receiving file information for a file to be synchronized; displaying an asset receipt form web page for receiving a user indication regarding receipt of an asset; displaying an asset exception annotation web page for receiving information regarding an exception to be added to a selected asset; displaying an asset exception list page for displaying a listing of asset management exceptions associated with a selected project; and displaying a resolve asset exception web page, wherein users may indicate that a selected exception has been resolved. One of ordinary skill in the art would have been motivated to combine the teachings in order to provide varying levels of information that are available to the users of the system. **The Examiner would like to note limitations recited in claim 37 are directed to design choice for providing information catered to a specific environment.**

As per claims 13 and 38, Marsh discloses a user interface for presenting interpreted data (0028).

Bothman discloses displaying web pages to allow for modifying, rejecting, or accepting information related to data (ABSTRACT).

Ahlberg discloses web pages for presenting options, entry, modifying, canceling, searching, displaying information, customized reports, etc (ABSTRACT; col. 3, lines 61-67; col. 4, lines 1-23; col. 9, lines 29-48; and col. 16, lines 16-32).

Fleskes discloses displaying different web pages depending upon login information received (ABSTRACT).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the teachings of Marsh, Maltseff, Bothman, Ahlberg, and Fleskes to include receiving material handling level user login information; displaying a synchronize web page for receiving file information for a file to be synchronized; displaying an asset receipt form web page for receiving a user indication regarding receipt of an asset; displaying an asset exception annotation web page for receiving information regarding an exception to be added to a selected asset; displaying an asset exception list page for displaying a listing of asset management exceptions associated with a selected project; displaying an asset storage maintenance details web page for displaying asset management information relating to the storage and maintenance of a selected asset; displaying an asset location form web page for displaying the physical location of a selected asset; and displaying an update asset location form web page for receiving updated asset location information for a selected asset. One of ordinary skill in the art would have been motivated to combine the teachings in order to provide varying levels of information that are available to the users of the system. **The Examiner would like to note limitations recited in claim 38 are directed to design choice for providing information catered to a specific environment.**

Claim 18-19 and 43-44 rejected under 35 U.S.C. 103(a) as being unpatentable over Marsh (US 2003/0023517 A1) in view of Maltseff (US 2002/0097282 A1) as applied to claim 1 above, and further in view of Ahlberg et al. (US 6,587,836 B1).

As per claim 18 and 43, Marsh discloses modifying information contained on the asset management computer system (0028).

Marsh in view of Maltseff fails to explicitly disclose operatively connecting additional remote client computer systems to the asset management server computer system for enabling users to access and modify information contained on the asset management computer system.

However Ahlberg discloses connecting additional remote client computer systems to the asset management server for enabling users to access and modify information (col. 3, lines 61-67 and col. 4, lines 1-24).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the teachings of Marsh in view of Maltseff to include connecting additional remote client computer systems to the asset management server for enabling users to access and modify information as taught by Ahlberg. One of ordinary skill in the art would have been motivated to combine the teachings in order to provide a web-based on-line system for processing data for services over the Internet (Ahlberg; col. 3, lines 14-17).

As per claim 19 and 44, Marsh in view of Maltseff both fail to explicitly disclose wherein users operating the additional remote client computer systems are provided specialized access depending upon login information received by the asset management server computer system.

However Ahlberg discloses specialized access depending upon login information received (col. 15, lines 34-51).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the teachings of Marsh in view of Maltseff to include specialized access depending upon login information received as taught by Ahlberg. The motivation to combine is the same as claim 18 and 43, above.

Claim 21, 23, 46 and 48 rejected under 35 U.S.C. 103(a) as being unpatentable over Marsh (US 2003/0023517 A1) in view of Maltseff (US 2002/0097282 A1) as applied to claim 1 above, and further in view of Cannon, Jr. et al. (US 5,689,238).

As per claim 21 and 46, Marsh in view of Maltseff fails to explicitly disclose determining whether a selected electronic asset identification device is within a range of the interrogation device; indicating the presence of the selected electronic asset identification device to the user; and enhancing the indication of the presence of the selected electronic asset identification device upon increasing proximity to the selected electronic asset identification device.

However Cannon discloses determining whether a selected electronic asset identification device is within a range of the interrogation device (col. 2, lines 42-59); indicating the presence of the selected electronic asset identification device to the user (col. 2, lines 42-59); and enhancing the indication of the presence of the selected electronic asset identification device upon increasing proximity to the selected electronic asset identification device (col. 2, lines 42-59).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the teachings of Marsh in view of Maltseff to include determining whether a selected electronic asset identification device is within a range of the interrogation device; indicating the presence of the selected electronic asset identification device to the user; and enhancing the indication of the presence of the selected electronic asset identification device upon increasing proximity to the selected electronic asset identification device as taught by Cannon. One of ordinary skill in the art would have been motivated to combine the teachings in order to allow for random storage of items and useful for locating misplaced items (Cannon; col. 1, lines 43-46).

As per claim 23 and 48, Marsh discloses an interrogation device that communicates and corresponds information with the asset management server (0021-0022 and 0028).

Marsh in view of Maltseff fails to explicitly disclose receiving an asset location area description and scanning the asset location area to identify the presence therein of electronic asset identification devices.

However Cannon discloses receiving an asset location area description (col. 3, lines 27-45) and scanning the asset location area to identify the presence therein of electronic asset identification devices (col. 3, lines 27-45).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the teachings of Marsh in view of Maltseff to include receiving an asset location area description, scanning the asset location area to identify the presence therein of electronic asset identification devices as taught by Cannon. The motivation to combine is the same as claim 21 and 46, above.

Claim 22 and 47 is rejected under 35 U.S.C. 103(a) as being unpatentable over Marsh (US 2003/0023517 A1) in view of Maltseff (US 2002/0097282 A1).

As per claim 22 and 47, Marsh discloses presenting interpreted data through the user interface: the interrelated data being meaningful information regarding the tracked asset (0028).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the teachings of Marsh to include displaying asset management information regarding a selected asset, wherein the asset management information includes an indication regarding whether the selected asset has been confirmed; an indication that the selected asset has an electronic asset identification device affixed thereto; an indication regarding the presence of the affixed electronic asset identification; and an indication regarding the storage status of the selected asset.

One of ordinary skill in the art would have been motivated to modify the teachings in order to provide information related to the asset. **The Examiner would like to note limitations recited in claim 47 are directed to design choice for providing information catered to a specific environment.**

Claims 25 and 50 rejected under 35 U.S.C. 103(a) as being unpatentable over Marsh (US 2003/0023517 A1) in view of Maltseff (US 2002/0097282 A1) as applied to claim 1 above, and further in view of Radican (US 6,148,291).

As per claim 25 and 50, Marsh in view of Maltseff fails to explicitly disclose receiving user confirmation that a selected asset has been received; and receiving exception information relating to the selected asset.

However Radican discloses receiving user confirmation that a selected asset has been received (col. 5, lines 43-44); and receiving exception information relating to the selected asset (FIG. 10A and 10B).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the teachings of Marsh in view of Maltseff to include receiving user confirmation that a selected asset has been received; and receiving exception information relating to the selected asset as taught by Radican. One of ordinary skill in the art would have been motivated to combine the teachings in order to track the delivery of assets and to monitor the assets (Marsh; col. 2, lines 40-42).

(10) Response to Argument

Ground of Rejection No. 1

The applicant argues the combination of Marsh in view of Maltseff failing to teach or suggest "'a remote client computer' and 'at least on interrogation device' operatively connected to the remote client computer system, 'wherein the at least one interrogation device is separate from the remote client computer system'." The examiner respectively disagrees.

The examiner notes that Marsh discloses affixing a plurality of electronic asset identification devices to an asset whose location and information are to be managed (0020-0022; 0031; FIG. 1); programming each of the plurality of electronic asset identification devices to include at least unique identification information relating to the asset to which it is affixed (0020-0022; 0031; FIG. 1); maintaining at least one database containing information regarding the electronic asset identification devices and the assets to which they are affixed on an asset management server computer system (0020-0022; 0028; 0031; FIG. 1); operatively connecting a field control device operating a computer program to the asset management server computer system for exchanging information regarding the electronic asset identification devices over a computer network (0020-0022; 0028; 0031; FIG. 1); and further the field control device having the ability to interrogate the electronic asset identification devices in order to receive information from the plurality of electronic asset identification devices (0020-0022; 0028; 0031; FIG. 1).

However Marsh fails to disclose wherein the field control device is a remote client computer system operatively connected to the asset management system and further the remote client computer system contains at least one interrogation device that is separate from the remote client computer in which the interrogation device interrogates information from the electronic asset identification devices and sends the asset information to the remote client computer system.

Maltseff discloses a field control device (0031 and FIG. 2: “20”) that is operatively connected to an asset management system (0031 and FIG. 2: “18”) and further the remote client computer system contains at least one interrogation device (0030-0031 and FIG. 2: “28”) that is separate from the remote client computer (0030-0031: interface between the wireless interrogator and the personal computer and FIG. 2: “34”) in which the interrogation device interrogates information from the electronic asset identification devices (0030 and FIG. 2: “30”) and sends the asset information to the remote client computer system (0030-0031). Further the remote client computer system sends the asset information from the electronic asset identification devices to the asset management system (0031).

With respect to the arugment directed to a “remote client computer,” the examiner notes from the above rational Marsh's “field control device” (110) is interpreted to be a remote client computer and further Maltseff “personal computer” (20) is also interpreted to be a remote client computer due to the fact that they are operatively connected to a server computer and not the actual server computer. In both references these “remote” and server computers are their own distinct devices that are connected.

Therefore the examiner notes both of the devices of Marsh and Maltseff are indeed "remote" to a "server". Therefore under the broadest reasonable interpretation a device, whether it be a field control device or a personal computer, that is not the server itself is interpreted to be a remote client computer system, therefore this argument is not persuasive.

With respect to the argument for no appropriate reason to modify Marsh to add the components found in Maltseff, the examiner notes the examiner sought to modify Marsh's field control device (110) (see Marsh, FIG. 1 and FIG. 2) which contains an interrogation device built into the actual field control device (see Marsh, 0021). The examiner notes that the field control device contains an antenna that is able to read RF frequencies therefore have the ability to transmit and receive data based off of RFID tags (see Marsh, 0022). The examiner therefore sought to combine the elements of an interrogation device that is separate from the remote client computer system as taught by Maltseff (see FIG. 1 and 2). Maltseff discloses a personal computer (e.g. remote client computer system) (see Maltseff, FIG. 1 and 2) which contains and scanner (e.g. interrogation device) (see Maltseff, FIG. 1 and 2) that is separate from the remote client computer system. The examiner notes from Malseff it is interpreted that the personal computer (20) is a remote client computer system that contains an operatively connected interrogation device (e.g. scanner 12 in FIG. 1 and scanner 28 in FIG. 2) that is separate (e.g. not physically the same device) from the remote client computer system. Therefore the examiner notes that one of ordinary skill in the art would have had the knowledge to modify a device that contains interrogation capabilities and add

the extra functionality of having the elements separate for having added flexibility of scanning items (see Marsh FIG 1 and 2). The examiner further notes that the idea of the combination is focused on the element of having a device that is separate and has ability to interrogate asset identification devices (e.g. RFID tags). The examiner notes that one of ordinary skill in the art would have had the knowledge to combine the elements of Maltseff into Marsh to create a separate interrogation device instead of the use of an antenna and still be able to yield a predictable result. Further the examiner has provided motivation for such a combination: in order allow for tracking information via a wireless memory device and storing the information at a central computer system (Maltseff, 0006), therefore this argument is not persuasive.

With respect to the argument directed to the dependent claims 3-5, the examiner notes that Maltseff discloses [claim 3] wherein the interrogation device includes a fixed radio frequency identification tag reader wherein itself it is [claim 4] radio frequency identification tag reader (see at least, abstract and [0030] and FIG. 2and further that the hand held radio frequency identification tag reader is a hand held computing device (see at least, abstract and [0030] and FIG. 2). The examiner notes the same rational is used as explained above for the modifying Marsh to contain the elements as found in Maltseff, therefore this argument is not persuasive.

Ground of Rejection No. 2

The examiner notes the applicant is arguing the Examiner's Official Notice that was made of record in the action dated on 3/14/2008, therefore this argument is moot. However the examiner notes the same rational for the independent claims as noted above apply to these dependent and further the examiner notes it is old and well known in the arts to have the ability to create an infrastructure that contains legacy databases and have servers be able to communicate to the legacy database (e.g. server containing instruction sets and/or scripts that allow it to communicate back and forth to legacy databases)), therefore this argument is not persuasive.

Ground of Rejection No. 3-9

The examiner notes the same rational for the independent claims as noted above apply to the dependent claims, therefore this argument is not persuasive.

(11) Related Proceeding(s) Appendix

No decision rendered by a court or the Board is identified by the examiner in the Related Appeals and Interferences section of this examiner's answer.

For the above reasons, it is believed that the rejections should be sustained.

Respectfully submitted,

/Asfand M. Sheikh/
Examiner, Art Unit 3627
12/17/2008

Conferees:

/F. Ryan Zeender/

Supervisory Patent Examiner, Art Unit 3627

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